

## District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 9/18/2009

Case Number 2:05-cr-107

Case Style: United States of America vs. Lecco and Friend

Type of hearing Pretrial Motions Hearing

Before the honorable: 2508-Copenhaver

Court Reporter Barbara Steinke

Courtroom Deputy Kelley Miller

Attorney(s) for the Plaintiff or Government Gregory McVey, Philip Wright, Richrd Burns, Charles Miller

Attorney(s) for the Defendant(s) Gerald Zerkin/Brian Kornbrath - Kevin McNally, Gary Collias

Law Clerk

Probation Officer

### Trial Time

### Non-Trial Time

Motions hearing (without evidence). Type:

### Court Time

10:11 am to 11:26 am

Total Court Time: 1 Hours 15 Minutes Non-Trial Time/Uncontested Time

### Courtroom Notes

10:00 case set

10:11 - case called - defendants sworn

Court inquired regarding the juror questionnaire - parties have agreed on its contents with one exception - a copy is to be furnished to the court later this afternoon

The court heard further argument regarding the motion for change of venue - the court deems the matter submitted

The court heard further argument regarding the motion to bar death penalty based on race/gender discrimination - the court deems the matter submitted

The court heard the parties regarding the government's motions

Parties in Valerie Friend's case to return for a further pretrial motions hearing and jury procedures hearing at 1:30 p.m. on September 28, 2009

11:26 concluded